

# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF OKLAHOMA

JODY STEWART,

Plaintiff(s)

vs.

Case Number: 10-CV-511-CVE-FHM

SULZER ORTHOPEDICS, INC.;  
 CENTERPULSE ORTHOPEDICS, INC.;  
 ZIMMER, INC.; and  
 ZIMMER HOLDINGS, INC.,  
 Defendant(s)

### STATUS REPORT ON REMOVED ACTION

This form must be filed by the removing party at the time of filing the notice of removal or within five (5) days of the filing of the notice of removal in the U.S. District Court. **Note:** Additional sheets may be used as necessary.

#### I. State Court Information:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

Court: District Court of Mayes County

Case Number: CJ-2010-233

#### II. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counter-Claimant(s), Counter-Defendant(s), Cross-Claimant(s), Cross-Defendant(s), Third Party Plaintiff(s), and Third Party Defendant(s) whether still pending or now termed/dismissed and indicate their party type. Also, please list the attorney(s) of record for each party and include their OBA number, firm name, correct mailing address, and phone number (including area code).

	Party	Party Type	Attorney
1.	Jody Stewart	Plaintiff	Pro Se
2.	Sulzer Orthopedics, Inc.	Defendant	
3.	Centerpulse Orthopedics, Inc.	Defendant	
4.	Zimmer, Inc.	Defendant	Robert H. Alexander, Jr., OBA No. 197 John J. Love, OBA No. 5536 The Law Office of Robert H. Alexander, Jr., p.c. P.O. Box 868 Oklahoma City, OK 73101-0868 405-232-0803

Robert H. Alexander, Jr., OBA No. 197  
 John J. Love, OBA No. 5536  
 The Law Office of Robert H. Alexander, Jr., p.c.  
 P.O. Box 868  
 Oklahoma City, OK 73101-0868  
 405-232-0803

5. Zimmer Holdings, Inc. Defendant

### III. Jury Demand:

Was a Jury Demand made in State Court? Yes ☐ No ☒

If "Yes," by which party(ies) and on what date?

Party	Date

Party	Date

### IV. Complaints, Counter-Claims, Cross-Claims, Third-Party Complaints, Intervenor

Please list all complaint-type documents (Complaints, Amended Complaints, Counter-Claims, Amended Counter-Claims, Cross-Claims, Amended Cross-Claims, Third-Party Complaints, Amended Third-Party Complaints, Intervenor Complaints and Amended Intervenor Complaints) filed in State Court and indicate the filing party, whom it is against and the date filed.

Complaint-Type Document	Filed By	Against Whom	Date Filed
1. Petition	Plaintiff	Defendants	July 19, 2010
2.			
3.			
4.			
5.			

### V. Unserved Parties:

The following parties have not been served at the time this case was removed.

Party	Reason(s) for No Service
1. Sulzer Orthopedics, Inc.	Unknown
2. Centerpulse Orthopedics, Inc.	Unknown

### VI. Answer

Was an Answer made in State Court? Yes ☐ No ☒

If “Yes,” by which party(ies), the document answered, and on what date?

	Party	Answer To	Date Filed
1.			
2.			

**VII. Nonsuited, Dismissed or Terminated Parties:**

Please list the parties who have been terminated or dismissed from the State Court action and indicate the date of termination/dismissal.

	Party	Date Termed/Dismissed
1.		
2.		

**VIII. Remaining Claims of the Parties:**

Please list the complaint-type documents, from Section IV above, that are still pending

	Complaint-Type Document	Filed By	Against Whom	Date Filed
1.	Petition	Plaintiff	Defendants	July 19, 2010
2.				

**IX. Pending Motions:**

Please list all contested motions still pending in the case and indicate the filing party and date filed.

	Pending Motions	Filed By	Date Filed
1.			
2.			

Signature: /s/ John J. Love

Printed Name: John J. Love

Bar Number: 5536

Attorney for: Defendants

Law Firm: The Law Office of Robert H. Alexander, Jr., p.c.

Address: P.O. Box 868

Oklahoma City, OK 73101-0868

Telephone: 405-232-0803

### Certificate of Service

I hereby certify that on 8/10/10 (Date), I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants (names only are sufficient):

Robert H. Alexander, Jr.

John J. Love

I hereby certify that on 8/10/10 (Date), I served the same document by:

☒ U.S. Postal Service

☐ In Person Delivery

☐ Courier Service

☐ E-Mail

on the following, who are not registered participants of the ECF system:

Name(s) and Address(es): Jody Stewart  
1220 Southeast Graham Court  
Pryor, OK 74361

/s/ John J. Love  
Signature